

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MAGNOLIA MEDICAL	)	
TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 19-97 (CFC) (CJB)
v.	)	
	)	
KURIN, INC.,	)	
	)	
Defendant.	)	

**MAGNOLIA’S MOTION FOR AN ACCOUNTING OF KURIN’S SALES,  
SUPPLEMENTAL DAMAGES, AND INTEREST**

Plaintiff Magnolia Medical Technologies, Inc. respectfully moves the Court to award an accounting and supplemental damages on all of Kurin’s infringing sales from August 1, 2020 through entry of judgment, which are not accounted for in the jury’s demand award, along with both pre- and post-judgment interest. The grounds for this motion are set forth in Plaintiff’s accompanying Opening Brief, Declaration of Ian Hogg, and exhibits attached thereto, and all the pleadings and proceedings herein.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Rodger D. Smith II*

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September 9, 2022

**RULE 7.1.1. STATEMENT**

Pursuant to D. Del. L.R. 7.1.1., the below-signed counsel certifies that Plaintiff has made a reasonable effort, including oral communication involving Delaware counsel for each party, to reach agreement with opposing party on the matters set forth in the foregoing Motion for An Accounting of Kurin Sales, Supplemental Damages, and Interest.

*/s/ Rodger D. Smith II*

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Rodger D. Smith II (#3778)

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MAGNOLIA MEDICAL	)	
TECHNOLOGIES, INC.,	)	
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Plaintiff,	)	
	)	C.A. No. 19-97 (CFC)(CJB)
v.	)	
	)	
KURIN, INC.,	)	
	)	
Defendant.	)	

**[PROPOSED] ORDER GRANTING MAGNOLIA’S  
MOTION FOR AN ACCOUNTING OF KURIN’S SALES,  
SUPPLEMENTAL DAMAGES, AND INTEREST**

At Wilmington this \_\_\_\_ day of \_\_\_\_\_, 2022, the above-referenced matter having come before the Court on Magnolia’s Motion for an Accounting of Kurin’s Sales, Supplemental Damages, and Interest, and having considered the motion, the evidence, and arguments in support thereof, and Defendant’s oppositions thereto, it is hereby ORDERED that the Motion is GRANTED as follows:

1. Kurin is ordered to produce to Magnolia updated sales figures showing the number of infringing Kurin Lock products sold in the United States from August 1, 2020 through the entry of judgment on \_\_\_\_\_, 2022;
2. Magnolia is awarded supplemental damages at the jury-determined royalty rate of \$2.66 per unit for U.S. sales of the infringing Kurin

Lock products from August 1, 2020 through the entry of judgment on \_\_\_\_\_, 2022;

3. Magnolia is awarded pre-judgment interest at the prime rate, compounded quarterly, on the entire damages award due on Kurin's infringing sales from March 7, 2019 through the date of judgment.

4. Magnolia is awarded post-judgment interest.

5. Within fourteen (14) days of this order, Magnolia shall provide the court a damages calculation for: (1) the amount of supplemental damages due on infringing sales of all Kurin Lock Products sold from August 1, 2020 through entry of judgment; (2) the amount of pre-judgment interest due on the entire damages award from March 7, 2019, including all additional supplemental damages calculated in (1); and (3) the appropriate per-day post-judgment interest amount due to Magnolia on the entire damages award, including supplemental damages and pre-judgment interest.

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The Honorable Colm F. Connolly  
Chief, United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on September 9, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on September 9, 2022, upon the following in the manner indicated:

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